IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	)	
	)	
Inventor: Kenneth L. Davis	)	Examiner: Quoc A. Tran
	)	
Serial No.: 09/862,884	)	Group Art Unit: 2176
	)	
Filed: May 21, 2001	)	Appeal No.: _____
	)	
Title: METHOD AND APPARATUS FOR	)	
ANNOTATING A SEQUENCE OF FRAMES	)	

BRIEF OF APPELLANTS

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §41.37, Appellant hereby submits the Appellant's Brief on Appeal from the final rejection in the above-identified application, as set forth in the Office Action dated May 19, 2006.

Please charge the amount of $500 to cover the required fee for filing this Appeal Brief as set forth under 37 CFR §41.37(a)(2) and 37 CFR §41.20(b)(2) to Deposit Account No. 50-0494 of Gates & Cooper LLP. Also, please charge any additional fees or credit any overpayments to Deposit Account No. 50-0494.

I.   REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc. the assignee of the present application.

II.   RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

III.   STATUS OF CLAIMS

Claims 1-24 are pending in the application.

Claims 1-6, 8-14, 16-22, and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable in view of U.S. Patent No. 5,708,845 to Wistendahl et al. (Wistendahl).

Claims 7, 15, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable by Wistendahl in view of U.S. Patent No. 5,526,478 to Russell, Jr. et al. (Russell) and further in view of U.S. Patent No. 6,484,156 to Gupta et al. (Gupta).

All of the above rejections are being appealed.

IV.   STATUS OF AMENDMENTS

No amendments to the claims have been made subsequent to the final Office Action.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is generally directed to a method for annotating a video clip/sequence of frames (see page 1, lines 1-5). A computer program obtains a video clip and annotation information that identifies a particular frame in the video clip (i.e., in the sequence of frames), an annotation, and a location on the particular frame to display the annotation (see page 3, lines 5-7; page 5, lines 9-11; page 7, lines 8-10; page 9, lines 17-20; FIG. 2). The computer program proceeds to consecutively display the sequence of frames and then determines (automatically) when the particular frame is displayed at which point the program automatically pauses the display (see page 3, lines 8-9; page 5, lines 11-13; page 9, lines 22-25; FIG. 2; page 10, lines 10-11; FIG. 3C). The annotation is then displayed at the specified location while the display is paused (see page 3, lines 8-9; page 5, lines 11-13; page 5, lines 25-26; FIG. 2; page 10, lines 10-13; FIG. 3C). The video clip

remains paused until the user elects to proceed at which point the sequence of frames then continues to display (see page 9, line 26-page 10, line 2; FIG. 2; FIGS. 3A-3E; page 10, lines 13-15).

Independent claim 9 is generally directed to an apparatus for annotating a video clip/sequence of frames (see page 1, lines 1-5). A computer program obtains and stores a video clip and annotation information (in memory) that identifies a particular frame in the video clip (i.e., in the sequence of frames), an annotation, and a location on the particular frame to display the annotation (see page 3, lines 5-7; page 5, lines 9-11; page 7, lines 8-10; page 9, lines 17-20; FIG. 2). The computer program proceeds to consecutively display the sequence of frames and then determines (automatically) when the particular frame is displayed at which point the program automatically pauses the display (see page 3, lines 8-9; page 5, lines 11-13; page 9, lines 22-25; FIG. 2; page 10, lines 10-11; FIG. 3C). The annotation is then displayed at the specified location while the display is paused (see page 3, lines 8-9; page 5, lines 11-13; page 5, lines 25-26; FIG. 2; page 10, lines 10-13; FIG. 3C). The video clip remains paused until the user elects to proceed at which point the sequence of frames then continues to display (see page 9, line 26-page 10, line 2; FIG. 2; FIGS. 3A-3E; page 10, lines 13-15).

Independent claim 17 is generally directed to an article of manufacture for annotating a video clip/sequence of frames (see page 1, lines 1-5). A program storage medium readable by a computer has instructions executable by a computer that performs a method. The method provides for obtaining a video clip and annotation information that identifies a particular frame in the video clip (i.e., in the sequence of frames), an annotation, and a location on the particular frame to display the annotation (see page 3, lines 5-7; page 5, lines 9-11; page 7, lines 8-10; page 9, lines 17-20; FIG. 2). The method proceeds to consecutively display the sequence of frames and then determines (automatically) when the particular frame is displayed at which point the program automatically pauses the display (see page 3, lines 8-9; page 5, lines 11-13; page 9, lines 22-25; FIG. 2; page 10, lines 10-11; FIG. 3C). The annotation is then displayed at the specified location while the display is paused (see page 3, lines 8-9; page 5, lines 11-13; page 5, lines 25-26; FIG. 2; page 10, lines 10-13; FIG. 3C). The video clip remains paused until the user elects to proceed at which point the sequence of frames then continues to display (see page 9, line 26-page 10, line 2; FIG. 2; FIGS. 3A-3E; page 10, lines 13-15).

Dependent claims 2, 10, and 18 provide that the annotation is text (see page 7, lines 10-11; page 9, lines 10-11; FIG. 3C).

Dependent claims 3, 11, and 19 provide that the annotation is an arrow (see page 7, lines 10-15; FIG. 3C).

Dependent claims 4, 12, and 20 provide that the annotation is a primitive shape (see page 7, lines 10-15; FIG. 3C).

Dependent claims 5, 13, and 21 provide that the sequence of frames is an animation (see page 2, lines 21-22; see page 6, lines 15-17; FIGS. 3A-3E).

Dependent claims 6, 15, and 22 provide that the sequence of frames is a video (see page 2, lines 21-22; and page 6, lines 15-17).

Dependent claims 7, 16, and 23 provide that the annotation information is defined based on an XML schema (see page 3, lines 10-15; page 8, line 1-page 9, line 15).

Dependent claims 8, 17, and 24 provide that the display of the annotation is an overlaying of the annotation on the paused frame at the specified location (see page 3, lines 8-9; page 5, lines 11-13; page 7, lines 2-3; FIG. 2 and FIGS. 3A-3E).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-6, 8-14, 16-22, and 24 are unpatentable under 35 U.S.C. § 103(a) as being rendered obvious by U.S. Patent No. 5,708,845 to Wistendahl et al. (Wistendahl).

Whether claims 7, 15, and 23 are unpatentable under 35 U.S.C. §103(a) as being rendered obvious by Wistendahl in view of U.S. Patent No. 5,526,478 to Russell, Jr. et al. (Russell) and further in view of U.S. Patent No. 6,484,156 to Gupta et al. (Gupta).

VII.   ARGUMENT

A. Independent claims 1, 9, and 17 Are Patentable Over the Cited Art

In paragraphs (5)-(6) of the Office Action, claims 1-6, 8-14, 16-22, and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wistendahl et al., U.S. 5,708,845 (Wistendahl) in view of Russell, Jr. et al., U.S. 5,526,478 (Russell).

Specifically, the independent claims were rejected as follows:

As to independent claim 1, (a) **obtaining a sequence of frames to be consecutively displayed on a display device, wherein a frame comprises one or more images** (Wistendahl '845 at col. 4, line 10 through col. 5, line 45, also see Fig. 1), discloses a system for editing still and motion images, such as a movie, video program, or live television program captured by a video camera, etc., is digitized via an analog-to-digital (A/D) converter (item 12) into digital data representing a series of display frames Fi, Fi+2, Fi+3, in a time sequence t for display on a display screen),

(i) **an identification of an identified a frame within the sequence of frames** (Wistendahl '845 at col. 4, line 10 through col. 5, line 45, also see Fig. 1 and 5C), discloses "key" frame, as indicated at box 51b, the outline data, position, and frame address are saved as N Data at box 51c.

Using the broadest interpretation Examiner reads an identification of a frame would have been an obvious variant of "key" frame, as indicated at box 51b. The outline data, position, and frame address are saved as N Data for later use with IDM program, to a person of ordinary skill in the art at the time the invention was made.

(b) **obtaining annotation information, wherein the annotation information comprises:** (ii) **an annotation** (Wistendahl '845 at col. 4, lines 0-35, also see Fig. 1 and 5C), discloses using an outlining tool as before, the author draws an outline around an object, such as the airplane shown in frame F.sub.Ki, by drawing an outline OL around the airplane. The author also marks the position of the object in the key frame by designating a marker MK in a central position within the outline OL in frame F.sub.Ki;

Using the broadest interpretation Examiner reads an annotation and the annotation information would have been an obvious variant of draws an outline around an object and also marks the position of the object in the key frame, to a person of ordinary skill in the art at the time the invention was made.

(c) **Consecutively displaying one or more of the sequence of frames** (Wistendahl '845 at col. 4, line 10 through col. 5, line 45, also see Fig. 1), discloses a system for editing still and motion images, such as a movie, video program, or live television program captured by a video camera, etc., is digitized via an analog-to-digital (A/D) converter (item 12) into digital data representing a series of display frames Fi, Fi+2, Fi+3, in a time sequence t for display on a display screen),

(d) **Determining when the identified frame is displayed, and automatically pausing the display of the sequence of frames at the identified frame** (Wistendahl '845 at col. 4, line 10 through col. 5, line 45, and also at col. 9, line 15 through col. 12, line 10 particularly at col. 11 lines 1-45) discloses an authoring and mapping of "Hot Spot" As N Data, wherein

the author first brings up on the workstation a key frame F.sub.Ki of a series of frames in a full motion movie or video sequence.

Using a mouse or other type of pointing device 52, the author delineates an object in the key frame, such as the airplane shown in frame F.sub.Ki, by drawing an outline OL around the airplane.

The author also marks the position of the object in the key frame by designating a marker MK in a central position within the outline OL in frame F.sub.Ki. and

By clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame F.sub.Ki+N is reached in which the object is detected.

Using the broadest interpretation Examiner reads an automatically pausing the display of the sequence of frames at the identified frame would have been an obvious inherent of displaying "key" frame of a series of frames in a full motion movie or video sequence then draws an outline OL around the airplane and by clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame F.sub.Ki+N is reached in which the object is detected, to a person of ordinary skill in the art at the time the invention was made, further more please notes that in order to an outline OL around the airplane and by clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame, the steps of

stop and go would have been appreciated by a person of ordinary skill in the art at the time the invention was made in order to perform the above feature,

      (f)   **Continue displaying the sequence of frames subsequent to the identified frame when a user elects to proceed** (Wistendahl '845 at col. 4, line 10 through col. 5, line 45, and also at col. 9, line 15 through col. 12, line 10 particularly at col. 11 lines 1-45) discloses an authoring and mapping of "Hot Spot" As N Data, wherein

      The author first brings up on the workstation a key frame F.sub.Ki of a series of frames in a full motion movie or video sequence.

      Using a mouse or other type of pointing device 52, the author delineates an object in the key frame, such as the airplane shown in frame F.sub.Ki, by drawing an outline OL around the airplane. The author also marks the position of the object in the key frame by designating a marker MK in a central position within the outline OL in frame F.sub.Ki. and

      by clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame F.sub.Ki+N is reached in which the object is detected.

      Using the broadest interpretation Examiner reads an automatically pausing the display of the sequence of frames at the identified frame would have been an obvious inherent of displaying "key" frame of a series of frames in a full motion movie or video sequence then draws an outline OL around the airplane and by clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame F.sub.Ki+N is reached in which the object is detected, to a person of ordinary skill in the art at the time the invention was made, hrther more please notes that in order to an outline OL around the airplane and by clicking on an MT button of a tool bar 54 in a graphical interface for the authoring program, where it appears in the succeeding frames of the sequence until a last frame, the steps of stop and go would have been appreciated by a person of ordinary skill in the art at the time the invention was made in order to perform the above feature,

      Wistendahl '845 does not explicitly teach, **and (iii) a location on the identified frame to display the annotation, e) displaying the annotation at the location on the identified frame while the display is paused,** however (Russell '478 at col. **3,** line 30 through col. 4, line 35, also see Fig. 2-7, discloses an annotation interface, wherein the multimedia information can include graphic, animation visual image, video, etc on a computer display, wherein

      A frame buffer is connected to bus and stores the information to be displayed on display, also includes:

      Graphics subsystem item 30 processing elements for processing graphics data that are to be displayed on display item 22, that includes four pipelined subsystems:

      (1) a geometry subsystem,

      (3) a raster subsystem, and

      (4) a display subsystem. When a 3-D model needs to be displayed on display. CPU 21 accesses system RAM and ROM 25a and 25b and mass storage device 29 for data relating to the visual description of the 3-D model. The visual description of the 3-D model is read and stored in computer system 20.

      Examiner read the above in the broadest reasonable interpretation, wherein the identified frame to display the annotation would have been an obvious variant of A frame buffer includes four pipelined subsystems: (1) a geometry subsystem, (2) a scan conversion subsystem, (3) a raster subsystem, and (4) a display subsystem is connected to bus and stores the information to be displayed on display, to a person of ordinary skill in the art at the time the invention was made.

      It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Wistendahl '845 teaching, to include a means of obtaining annotation information, wherein a location on the identified frame to display the annotation of Russell '478. One of ordinary skill in the art would have been motivated to perform such a modification, because they are from the same field of endeavor of authoring, and annotating an object within a specific frame of a set of sequential frames, and enabling object mapping and motion tracking tools, that allows author

for outline a number of "hot spots" in a full motion sequence and generate N Data automatically over a series of frames (see Wistendahl '845 at col. 1 1, line 65 through col. 12, line 10).

Appellant traverses the above rejections for one or more of the following reasons:

(1)   Wistendahl, Russell, and Gupta do not teach, disclose or suggest automatically pausing a display of a sequence of frames at a particular identified frame;

(2)   Wistendahl, Russell, and Gupta do not teach, disclose or suggest displaying an annotation at a location on the identified frame when the sequence has been paused; and

(3)   Wistendahl, Russell, and Gupta do not teach, disclose or suggest continuing the display of the sequence of frames when the user elects to proceed.

As described above, the present claims provide for the ability to annotate a sequence of frames. To annotate the frames, a particular frame is identified and an annotation is specified. The sequence of frames is displayed. However, when the particular identified frame is displayed, the sequence is paused. While the sequence is paused, the annotation is displayed at a particular identified location on the frame. The user then determines when to continue displaying the sequence of frames.

To teach the determination of when an identified frame is displayed and the automatic pausing of the display, the Office Action relies on Wistendahl col. 4, line 10-col. 5, line 45 and Fig. 1. Appellant respectfully disagrees with such an assertion and reliance. Appellant submits that such a cited portion and the remainder of Wistendahl actually teach away from the claimed limitations. As specified in Wistendahl, hot spots specify display location coordinates for selected objects within a frame or series of frames (see col. 4, lines 60-65). When media content is played, the user can select a "hot spot" appearing in a display to trigger further actions (see col. 5, lines 7-9).

However, contrary to that asserted in the Office Action, Wistendahl completely fails to even remotely allude to pausing the display of a sequence of frames at a particular frame. In fact, Wistendahl teaches away from such an implementation. For example, in col. 8, lines 38-54, Wistendahl describes that as a movie runs, the user can point a remote control pointer to a designated actor or object appearing on the television display and click on the desired object. In response, if a hot spot was clicked on, the receiving box executes a response programmed for that hotspot. Thus, rather than pausing the display or automatically pausing a display, the user mere selects a hot spot that while the movie is continuously displayed.

In col. 8, lines 55-col. 9, line 3, Wistendahl describes how such a programmed response may process a pop-up window, overly display, etc., <u>in conjunction with the movie</u>. Thus, rather than automatically pausing a display when a particular frame is identified and displaying an annotation, while the sequence is paused, at a particular location, Wistendahl teaches playing a movie and if a user selects a hotspot, taking some action. There is no automated pausing whatsoever.

The Office Action asserts that col. 9, line 15-col. 12, line 10 discloses such an automated pausing and display. Appellant respectfully traverses such an assertion. This portion of text describes how to author and define where a particular hot spot is located. Wistendahl describes the use of motion tracking to track the movement of an object across multiple frames so that the hot spot can move with the object. However, such a teaching still completely fails to teach the automated pausing of a display when a particular identified frame is displayed. Instead, this portion of Wistendahl merely teaches how to define which frame(s) have a hot spot. Such an authoring tool does not automatically pause a display in any way shape or form. Further, the description of the authoring completely fails to describe what happens during the playback of the sequence. Such a playback situation is described above and actually teaches away from the automated pausing of a sequence of frames as claimed. In addition, the mere use of motion tracking to alter the location of a hot spot shows that the sequence is not paused but is continuously moving. Accordingly, such motion tracking again teaches away from the presently claimed limitations.

In response to the above arguments, the final Office Action merely asserts that such automated pausing would have been appreciated by one of skill in the art. The Action then states:

> ...the term "automatically" is not specifically defy as such "without a human intervention", thus steps and go is automatically executable whenever the interruption is triggering by the user click from I/O devices.

Appellants respectfully disagree with an traverse such an assertion. Firstly, the claims provide for consecutively displaying frames, determining when the identified frame is displayed, and then automatically pausing the sequence at the identified frame. Such a determining and automatically pausing is not even remotely within the knowledge of one of skill in the art. Nor would it have been appreciated by one of skill in the art. Such a statement clearly relies on impermissible hindsight provided by the teaching of the present invention. In this regard, none of the Office Actions point to any teaching in the cited references that would describe or that alludes to

the possibility for such a determination. Instead, the teachings solely rely on user based viewing and working with a hotspot. Again, there is no teaching relating to the pausing of a display during playback as claimed.

In addition, the Examiner's statements clearly indicate a complete disregard for the term "automatically". The final Office Action merely disregards the term and fails to provide any meaning for the term. Instead, the final Office Action omits the term and reads the claim language such that the term imparts no additional meaning or significance to the claim. Under MPEP §2142 and 2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." In this regard, one cannot merely state a word doesn't have a certain meaning while failing to impart any meaning to the term.

The claims then provide for displaying the annotation at the location on the identified frame while the display is paused. As described above, Wistendhal completely fails to describe such a limitation. Instead of displaying such an annotation during a playing (and while a display has been automatically paused), Wistendahl describes the authoring of a hotspot without any pausing whatsoever. Instead, the user marks a position in a keyframe completely outside of the scope of a playback operation when frames are consecutively displayed and then paused (as claimed).

The Action then relies on Russell. Appellants note that Russell relates to annotating a 3D model and not a sequence of frames. In this regard, Russell is in a completely different field of art from that of the present invention. Further, Russell wholly and completely fails to describe the display of a sequence of frames, the pausing of such display, and the display of an annotation on a particular location within a paused frame (as claimed). Instead, Russell describes the display of a multimedia function when a pointer is activated. Again, such a teaching is not even remotely similar to that of the present invention.

Further, based on such different fields of art, Appellants assert that there is no motivation to combine Russell with Wistendahl.

The Office Action then asserts that the continued display based on user election is taught by Wistendahl's motion tracking. Appellant again traverses such an assertion. The motion tracking fails to describe or suggest any pausing whatsoever. Without describing the pausing of a display, Wistendahl cannot possibly teach the continued display of the sequence when a user elects to proceed.

The Office Action states that read in the broadest reasonable interpretation, a user electing to proceed would be an obvious variant of authoring and mapping of a hot spot as N data when a display frame of media content is called up on the editing system.

Appellant respectfully disagrees and traverse such a suggestion. Again, the motion tracking fails to describe any resumption or continued display of frames. Instead, it merely tracks a hotspot movement across various frames. There is no pausing and no continued display based on a user election to proceed. To merely assert that such a claimed limitation would be an "obvious variant" is wholly without merit. Again, under MEP §2142 and 2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." To merely gloss over the specifically claimed limitations and state that it would be an obvious variant is ignoring the context and express limitations of the claims. In this regard, the Office Action has failed to establish a prima facie case of obviousness and is in clear error.

In response to the above arguments, the final Office Action repeats the prior assertions relating to motion tracking and states that the authoring tool allows the user to identify where a particular object appears in succeeding frames until a last frame is reached in which the object is detected. Wistendahl's tracking tool does allow a user to track an object through a series of frames. However, nowhere is there any indication that the display is continued after a user elects to proceed. In addition, Appellants note that the present invention relates to a single identified frame and the display of the annotation on the single identified frame. Wistendahl's discussion (and the Examiner's description of such a discussion) relates to tracking an object across multiple frames. If Wistendahl's multiple frames are marked with an object, then Wistendahl is expressly NOT teaching

the displaying of an annotation <u>while the display is paused</u>, as claimed. Instead, the frames are advanced and not paused. Accordingly, Wistendhal actually teaches away from displaying an annotation while a display is paused followed by the continued display subsequent to the identified frame. Again, Wistendahl relates to several frames and tracking an object across such frames and not the display of an annotation on a particular frame in a particular location on the particular frame (as expressly claimed).

The Office Action continues and again relies on Russell to describe an animation that is displayed after a user activates a pointer. As described above, such an animation display is not related, explicitly or implicitly, to the teaching of the present invention.

In addition, Appellant notes that there are specific advantages provided by the present invention. One such benefit allows the annotator to determine when a video clip is paused thereby allowing the viewer more time to read/view the annotation before proceeding (see page 10, lines 5-23 of the present specification). The complete and utter failure to both acknowledge the problem in the prior art or present such a solution/advantage again illustrates how Wistendahl teaches away from the present invention.

In view of the clear lack of teaching in Wistendahl and the obvious manner in which Wistendahl teaches away from the presently claimed limitations, Appellant submits that the present claims are in condition for allowance. Further, the remaining cited references fail to cure the deficiencies of Wistendahl.

Moreover, the various elements of Appellant's claimed invention together provide operational advantages over Wistendahl, Russell, and Gupta. In addition, Appellant's invention solves problems not recognized by Wistendahl, Russell, and Gupta.

Thus, Appellant submits that independent claims 1, 9, and 17 are allowable over Wistendahl, Russell, and Gupta.

B. Dependent Claims 7, 15, and 23 Are Patentable Over the Cited Art

As stated above, these claims provide that the annotation information is defined in conformance with an XML schema. Accordingly, rather than merely abstractly citing the use of XML, these claims specifically provide that the annotation information is defined in XML. Further,

the independent claims are all very specific in defining annotation information. In this regard, annotation information consists of an identification of a frame, an annotation, and a location on the identified frame to display the annotation. Claims 7, 15, and 23 provide that all of these elements must be in compliance with an XML schema.

In rejecting these claims, the Office Action relies on Gupta. However, Gupta merely mentions the use of XML. In this regard, Gupta fails to describe the defining of an annotation using XML. In addition, Gupta fails to provide for the use of XML to define each of the annotation information elements as set forth in the claims.

In addition, Gupta fails to teach, describe, or suggest, implicitly or explicitly, the capability to automatically pause a display of a video clip/stream at a particular frame, display an annotation at a particular location on the particular frame, and then continue displaying when the user elects to proceed. Instead, Gupta merely describes the ability to annotate a presentation and the ability to specify a particular time range in the video clip during which an annotation is displayed (see col. 8, lines 10-37). In this regard, Gupta fails in at least one benefit of the present invention which allows the annotator to determine when a video clip is paused thereby allowing the viewer more time to read/view the annotation before proceeding (see page 10, lines 5-23 of the present specification). Thus, Gupta does not provide the capability for an automatic determination and pausing of a video clip at an annotated location (as claimed).

In response to the above, the final Office Action recites Gupta col. 6, lines 5-15 that discloses an annotation server and a client computer that uses XML to forward commands and data. However, the specific annotation information described in both the independent claims and dependent claims is not even remotely suggested in Gupta or the cited references. In this regard, Gupta fails to teach the following explicit claim limitations: (1) an XML reference for an identification of an identified frame within a sequence of frames, (2) an XML reference for an annotation, and/or (3) an XML reference for a location on an identified frame to display the annotation. Further, Gupta fails to describe an XML schema as claimed. In fact, an electronic search of Gupta for the term "schema" provides no results whatsoever. Without even mentioning a schema, Gupta cannot possibly describe annotation information that is defined in accordance with an XML schema.

In view of the above, Appellant respectfully requests reversal of the rejection of these dependent claims and submit that they are in condition for allowance.

C.   Conclusion

In light of the above arguments, Appellants respectfully submit that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellants' claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. §§ 102 and 103. As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

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JSF/

G&C 30566.128-US-01

APPENDIX

1.   A computer-implemented method for annotating, comprising:

(a)   obtaining a sequence of frames to be consecutively displayed on a display device, wherein a frame comprises one or more images;

(b)   obtaining annotation information, wherein the annotation information comprises:

    (i)   an identification of an identified frame within the sequence of frames;

    (ii)   an annotation, and

    (iii)   a location on the identified frame to display the annotation;

(c)   consecutively displaying one or more of the sequence of frames;

(d)   determining when the identified frame is displayed and automatically pausing the display of the sequence of frames at the identified frame;

(e)   displaying the annotation at the location on the identified frame while the display is paused; and

(f)   continue displaying the sequence of frames subsequent to the identified frame when a user elects to proceed.

2.   The method of claim 1 wherein the annotation comprises text.

3.   The method of claim 1 wherein the annotation comprises an arrow.

4.   The method of claim 1 wherein the annotation comprises a primitive shape.

5.   The method of claim 1 wherein the sequence of frames comprises an animation.

6.   The method of claim 1 wherein the sequence of frames comprises a video.

7.   The method of claim 1 wherein the annotation information is defined in conformance with an extensible markup language (XML) schema.

8.   The method of claim 1 wherein the displaying of the annotation comprises overlaying the annotation on the paused frame at the location.

9.   An apparatus for annotating in a computer system comprising:

(a)   a computer system having a memory and a display device coupled thereto;

(b)   a sequence of frames stored in the memory, wherein a frame comprises one or more images, and wherein the frames are capable of being consecutively displayed on the display device;

(c)   annotation information stored in the memory, wherein the annotation information comprises:

        (i)   an identification of an identified frame within the sequence of frames;

        (ii)   an annotation; and

        (iii)   a location on the identified frame to display the annotation;

(d)   a computer program executing on the computer system, wherein the computer program is configured to:

        (i)   display one or more of the sequence of frames;

        (ii)   determine when the identified frame is displayed and automatically pause the display of the sequence of frames at the identified frame;

        (iii)   display the annotation at the location on the identified frame while the display is paused; and

        (iv)   continue displaying the sequence of frames subsequent to the identified frame when a user elects to proceed.

10.   The apparatus of claim 9 wherein the annotation comprises text.

11.   The apparatus of claim 9 wherein the annotation comprises an arrow.

12.   The apparatus of claim 9 wherein the annotation comprises a primitive shape.

13.   The apparatus of claim 9 wherein the sequence of frames comprises an animation.

14.   The apparatus of claim 9 wherein the sequence of frames comprises a video.

15.   The apparatus of claim 9 wherein the annotation information is defined in conformance with an extensible markup language (XML) schema.

16.   The apparatus of claim 9 wherein the computer program is configured to display the annotation by overlaying the annotation on the paused frame at the location.

17.   An article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for annotating in a computer system, the method comprising:

(a)   obtaining a sequence of frames to be consecutively displayed on a display device, wherein a frame comprises one or more images;

(b)   obtaining annotation information, wherein the annotation information comprises:

(i)   an identification of an identified frame within the sequence of frames;

(ii)   an annotation; and

(iii)   a location on the identified frame to display the annotation;

(c)   consecutively displaying one or more of the sequence of frames;

(d)   determining when the identified frame is displayed and automatically pausing the display of the sequence of frames at the identified frame;

(e)   displaying the annotation at the location on the identified frame while the display is paused; and

(f)   continue displaying the sequence of frames subsequent to the identified frame when a user elects to proceed.

18.   The article of manufacture of claim 17 wherein the annotation comprises text.

19.   The article of manufacture of claim 17 wherein the annotation comprises an arrow.

20.   The article of manufacture of claim 17 wherein the annotation comprises a primitive shape.

21.   The article of manufacture of claim 17 wherein the sequence of frames comprises an animation.

22.   The article of manufacture of claim 17 wherein the sequence of frames comprises a video.

23.   The article of manufacture of claim 17 wherein the annotation information is defined in conformance with an extensible markup language (XML) schema.

24.   The article of manufacture of claim 17 wherein the displaying of the annotation comprises overlaying the annotation on the paused frame at the location.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None